IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION NO : 1926 of 1995

Between:

D. Gnanesekhar Rao S/o. D. Munikrishnaiah
18-2-268-A, Ashoknagar, Tirupathi-517501.

..... PETITIONER

AND

1 Prl. Secretary to Govt., Revenue (Endts.II) Department,
Secretariat, Hyderabad.
2 Executive Officer Tirumala Tirupathi Devasthanams, Tirupathi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly in the nature of Writ of Mandamus directing the Respondents to comply with the orders issued in G.O.Ms.No. 296, Revenue (Endts.III) Department, Dt. 19-4-1988, G.O.Ms.No. 390 Revenue (Endts.II) Department, Dt. 6-5-1991 and G.O.Ms.NO. 391 Revenue (Endts.II) Department, Dt. 6-5-1991 and absorb the Petitioner into service in the regular establishment of T.T.D. and to further extend the benefit of payment of regular scale of pay etc. as has been done in similar cases from the date of absorption.

Counsel for the Petitioner:MR.P.GOVIND REDDY

Counsel for the Respondent No.2: Standing Counsel for T.T.D.

The Court made the following :

ORDER:

The writ petition is filed seeking a direction to the respondent to comply with the orders issued in G.O.Ms.No.296, Revenue (Endts.III) Department, dated 19.04.1988, G.O.Ms.No.390 Revenue (Endts.II) Department, dated 06.05.1991 and G.O.Ms.No.391 Revenue (Endts.II) Department, dated 06.05.1991 and absorb the petitioner into service in the regular establishment of T.T.D. by extending benefit of payment of regular scale of pay etc.

The petitioners claims that he worked as volunteer during the years from 1985 to 1987 in Tirumala Tirupati Devastanam on N.M.R. basis for 560 days and therefore seeks indulgence of this Court seeking direction to the respondent to comply with the orders issued.

A detailed counter affidavit has been filed by the respondent Devastanam *inter alia* stating that the petitioner rendered service for a few days and thereafter stopped rendering service on his own accord and therefore he does not come under the purview of G.O.Ms.No.296, as the same applies to the persons who were working from 01.01.1979 to 31.03.1989 and continue to work thereafter when the said G.O. came into force. As regards, G.O.Ms.No.390 is concerned, it applies to persons working from 01.04.1984 to 11.03.1988 and hence the said G.O. does not apply to the case of the petitioner, so also G.O.Ms.No.391, which applies to persons rendering continuous service.

Heard the learned counsel for the petitioner.

Except making a bald statement that he worked as volunteer during the years from 1985 to 1987 in Tirumala Tirupati Devastanam on N.M.R. basis for a period of 560 days, the petitioner has not filed any documentary proof in support thereof. Therefore, having regard to the statement of the respondent-Devastanam that the petitioner worked only for a period of a few days and thereafter stopped working on his own accord, and thereby ineligible for regular pay scale, I am not inclined to grant any relief in this writ petition.

Accordingly, the writ petition is dismissed. No costs.

25.11.2004

MRKR/KK.

To

1 Prl. Secretary to Govt., Revenue (Endts.II) Department,
Secretariat, Hyderabad.
2 Executive Officer Tirumala Tirupathi Devasthanams, Tirupathi.

3. Two C.D.copies.